

IN THE CLAIMS

Please add claims 48-52.

1-30. (Cancelled)

31. (Previously Presented) A fire barrier assembly for fire stopping an opening in a partition, comprising a plurality of fire stop articles arranged in the opening without a secondary support structure, each fire stop article comprising an interior insulating material, and an intumescent material arranged around at least a portion of said interior insulating material, said intumescent material comprising filler material, binder material, and a hydrated alkali metal silicate intumescent component.

32. (Previously Presented) A fire stop article as defined in claim 31, further comprising an enclosure surrounding each said fire stop article.

33. (Previously Presented) A fire stop article as defined in claim 32, wherein said enclosure is a sealed bag formed of polymeric material.

34. (Previously Presented) A fire stop article as defined in claim 31, wherein the intumescent material further includes organic char-forming components.

35. (Previously Presented) A fire stop article as defined in claim 31, wherein said interior insulating material comprises inorganic fibrous material.

36. (Previously Presented) A fire stop article as defined in claim 35, wherein said inorganic fibrous material comprises at least one of fiberglass, mineral wool, refractory ceramic materials, and mixtures thereof.

Amendment and Response

Applicant: Michael G. Dykhoff

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Title: FIRE STOP ARTICLE

37. (Previously Presented) A fire stop article as defined in claim 35, wherein said inorganic fibrous material comprises mineral wool having a density of at least 4 pounds per cubic foot.

38. (Previously Presented) A fire stop article as defined in claim 31, wherein said interior insulating material has opposed first and second opposed major surfaces, and further wherein sheets of intumescent material are arranged adjacent each of said first and second surfaces.

39. (Previously Presented) A fire stop article as defining in claim 38, wherein each of said intumescent sheets is adhesively bonded with said insulating material first and second major surfaces.

40. (Previously Presented) A fire barrier assembly as defined in claim 31, wherein the fire stop articles in their unexpanded state are held in place in the opening by compression.

41. (Previously Presented) A fire barrier assembly as defined in claim 31, wherein said intumescent material completely surrounds said interior insulating material.

42. (Withdrawn) A method of fire stopping an opening in a partition to form a fire barrier in the opening without a secondary support structure, comprising the step of:

- (a) arranging a plurality of fire stop articles in the opening, each fire stop article comprising
 - (i) an interior insulating material; and
 - (ii) an intumescent material arranged around at least a portion of said interior insulating material, said intumescent material comprising filler material, binder material, and a hydrated alkali metal silicate intumescent component.

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43. (Withdrawn) A method of fire stopping an opening in a partition as defined in claim 42, wherein the fire stop articles are arranged in the opening such that the fire stop articles are held in place in the opening by compression.

44. (Previously Presented) A fire barrier installation, comprising:

- (a) a partition containing an opening; and
- (b) a plurality of fire stop articles arranged in said opening without a secondary support structure, each fire stop article comprising
 - (i) an interior insulating material; and
 - (ii) an intumescent material arranged around at least a portion of said interior insulating material, said intumescent material comprising filler material, binder material, and a hydrated alkali metal silicate intumescent component.

45. (Previously Presented) A fire barrier installation as defined in claim 44, further comprising at least one item passing through said opening.

46. (Previously Presented) A fire barrier installation as defined in claim 44, wherein said opening has an area of greater than 300 square inches.

47. (Previously Presented) A fire barrier installation as defined in claim 44, wherein said partition has a concrete substrate for adhesion and said fire barrier installation passes a hose stream test in accordance with ASTM Test E814.

48. (New) A fire barrier assembly as defined in claim 31, wherein said plurality of fire stop articles includes a column of stacked fire stop articles arranged in the opening.

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49. (New) A fire barrier assembly as defined in claim 31, wherein said intumescent material defines an exterior surface opposite said interior insulating material, and further wherein said exterior surface does not exhibit adhesive properties at ambient temperatures.

50. (New) A fire barrier assembly as defined in claim 31, wherein said intumescent material defines an exterior surface opposite said interior insulating material, and further wherein said exterior surface does not exhibit cohesive properties at ambient temperatures.

51. (New) A fire barrier installation as defined in claim 44, wherein said plurality of fire stop articles are removably positionable within said opening.

52. (New) A fire barrier assembly comprising:
a free standing stack of separately formed fire stop articles, each first stop article including:
an interior insulating material defining opposed first and second major surfaces;
and
an intumescent material encompassing at least a portion of said first and second major surfaces;
wherein an exterior of said fire stop article is not cohesive at ambient temperatures.